

FILED

JUN 07 2017

Clerk, U.S. District Court
District Of Montana
Helena

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA EX
REL. FRANK M. REMBERT AND
MICHAEL R. PARADISE,

Relators,

vs.

BOZEMAN HEALTH DEACONESS
HOSPITAL D/B/A BOZEMAN
HEALTH, and
DEACONESS-INTERCITY
IMAGING, LLC D/B/A ADVANCED
MEDICAL IMAGING,

Defendants.

No. CV 15-80-BU-SEH

ORDER

By stipulation between Relators Frank M. Rembert and Michael R. Paradise
and non-party Intercity Radiology, P.C. ("ICR"),

ORDERED:

1. ICR will produce the five documents identified in Relators' Motion
for Determination of Privilege Claim¹ to all parties in this case.

¹ Doc. 18.

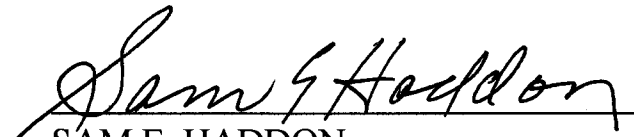
2. ICR may not object, on privilege grounds, to any party asking witnesses questions related to these five documents or the creation of the Deaconess-InterCity Imaging joint venture that is the subject of this case.

3. By stipulating to the use of these documents, ICR does not waive its attorney-client or work product privileges as to any other documents, and the stipulated use of these documents is not and should not be construed as a general or specific waiver of the attorney-client or work product privileges.

4. Relators' agreement does not waive their right to seek a determination as to privilege or waiver pertaining to any other documents on the same subject matter (the creation of the Deaconess-InterCity Imaging joint venture that is the subject of this case) at a later date and as may be necessary.

5. Relators' Motion for Determination of Privilege Claim² is deemed WITHDRAWN.

DATED this 7th day of June, 2017.


SAM E. HADDON
United States District Judge

² Doc. 18.